

ESTTA Tracking number: **ESTTA583674**

Filing date: **01/24/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92058367
Party	Defendant Spirito Brothers, LLC
Correspondence Address	SPIRITO BROTHERS LLC 3411 SILVERSIDE RD RODNEY , BLDG 10 WILMINGTON, DE 19810 UNITED STATES
Submission	Voluntary Surrender Of Registration
Filer's Name	Kevin J. Schettig
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Signature	/s/
Date	01/24/2014
Attachments	VOL SURRENDER-012413.pdf(39113 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Monteverde Foods,

Petitioner,

vs.

Spirito Brothers, LLC,

Registrant.

Cancellation No.: 92058367

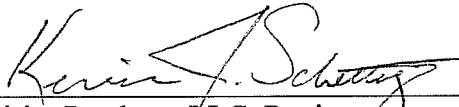
Registration No.: 3789917

VOLUNTARY SURRENDER OF TRADEMARK REGISTRATION

Registrant Spirito Brothers, LLC hereby surrenders U.S. Registration No. 3789917 for the mark SPIRITO BROTHERS TOMATO SAUCE SINCE 1933 and Design.

Dated: 1/23/14

Respectfully submitted:


Spirito Brothers, LLC, Registrant
By: Kirk C. Chamberlin, Esq.
Kevin J. Schettig, Esq.
Its: Attorneys

CERTIFICATE OF SERVICE

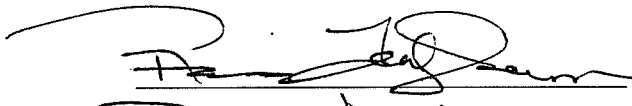
I hereby certify that a true and complete copy of the foregoing VOLUNTARY SURRENDER OF TRADEMARK REGISTRATION was served on 1/24, 2014 to Charles F. Reidelbach, Jr., attorney of record for Petitioner Monteverde Foods, via first class mail to:

Charles F. Reidelbach, Jr.
Higgs Fletcher & Mack LLP
401 West A Street, Suite 2600
San Diego, CA 92101

and via email to trademarks@higgslaw.com.

Dated: 1/24/2014

By:


Ranoa Fulghum